

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9790 of 2017

Arising Out of PS.Case No. -416 Year- 2016 Thana -FATUHA District- PATNA

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1. Nandu Kumar Son of Late Karu Saw R/o Purani Bazar, P.S.
Bakhtiyarpur, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Neerad Parashar

For the Opposite Party/s : Mr. Sri Ram Sumiran Roy

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 09-03-2017

Heard learned counsel for the petitioner and

learned counsel for the State.

Petitioner apprehends his arrest in connection with
Fatuha P.S. Case No. 416 of 2016 registered under Sections-
30, 37 and 38 of the Bihar Excise Amendment Act, 2016.

Learned counsel for the petitioner submits that it is
a case of double jeopardy. Recovery is said to have been made
from a place which was already in sealed condition in
connection with another case, and as such, petitioner cannot be
held liable for the recovery. During investigation it has come
that petitioner had lent out the aforesaid godown on rent.

Considering the facts and circumstances of the
case, the petitioner, above named, in the event of arrest or



surrender within a period of four weeks from today, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Ms. Jabin Jamal, Judicial Magistrate, 1st Class, Patna City, Patna in connection with Fatuha P.S. Case No. 416 of 2016 subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

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